

SEA HS&E Committee Webinar Update 20th July 2021

Disclaimer

The material in this presentation is for informational purposes only and has been prepared by the Surface Engineering Association.

Although we have taken care to ensure that the information is current and accurate, it does not constitute legal advice and we are not liable for any omissions or misunderstandings.

Competition Law

During the webinar participants should not discuss any of the following items:

- 1 - Price or price elements (including discounts, rebates, surcharges, allowances, concessions, price mark-ups, and the like).
- 2 - Terms and conditions on which you supply services to your customers.
- 3 - Information relating to individual customers, suppliers, or competitors.
- 4 - Allocation of services, customers, markets, territories, or sales.
- 5 - Bids, bidding terms, tactics, strategies or practices.
- 6 - Refusals to purchase from, or modification of purchase arrangements with, suppliers.
- 7 - Profits, margins and costs.
- 8 - Strategic plans, business plans, intentions, promotional activities and marketing strategies or investment plans.
- 9 - Any other confidential or competitively sensitive information.

Overview

- REACH
- Silver Update
- HSE Issues
- BEIS – Energy Intensive Industries (EII)
- Environment Issues
- Any sector / Institution Reports

REACH

- Online meeting with UK REACH to discuss re-authorisation requirements
- HSE suggest small-group applications
- More focused
- Longer review periods
- More cost effective

REACH

- CTAC-Sub2 setting up UK application for re-authorisation
- Advanced fee of £17k
- Sign up by end of August
- HSE costs £250k
- Consultants fees £1 million

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Title: Year: Number: Type: All UK Legislation (excluding originating from the EU) Search

Advanced Search

The REACH etc. (Amendment etc.) (EU Exit) Regulations 2019

UK Draft Statutory Instruments ▶ ISBN 978-0-11-117803-4 ▶ Whole Instrument

Table of Contents Content Draft Explanatory Memorandum Draft Impact Assessments More Resources

Previous Next Plain View Print Options

What Version

☒ Draft legislation

Opening Options

More Resources

Draft Legislation: This is a draft item of legislation and has not yet been made as a UK Statutory Instrument. This draft has been replaced by a new draft, [The REACH etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 ISBN 978-0-11-118035-8](#)

Draft Regulations laid before Parliament under paragraph 1(1) of Schedule 7 to the European Union (Withdrawal) Act 2018, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2019 No. 000

EXITING THE EUROPEAN UNION

<https://www.legislation.gov.uk/ukdsi/2019/9780111178034>

Fees for applications for an authorisation under Article 62 of UK REACH

Table 1: Standard fees

Base fee	£47,229
Additional fee per substance	£9,446
Additional fee per use	£42,506

Table 2: Reduced fees for medium enterprises

Base fee	£35,422
Additional fee per substance	£7,084
Additional fee per use	£31,880

Table 3: Reduced fees for small enterprises

Base fee	£21,253
Additional fee per substance	£4,251
Additional fee per use	£19,128

Table 4: Reduced fees for micro enterprises

Base fee	£4,723
Additional fee per substance	£945
Additional fee per use	£4,251

Enterprise category	Headcount	Turnover or Balance sheet total	
medium-sized	< 250	≤ £43.650 million	≤ £37.539 million
small	< 50	≤ £8.730 million	≤ £8.730 million
micro	< 10	≤ £1.746 million	≤ £1.746 million

Entries added to the Candidate List on 8 July 2021

2-(4-tert-butylbenzyl)propionaldehyde and its individual stereoisomers

Orthoboric acid, sodium salt

2,2-bis(bromomethyl)propane1,3-diol (BMP);

2,2-dimethylpropan-1-ol, tribromo derivative/3-bromo-2,2-bis(bromomethyl)-1-propanol (TBNPA);

2,3-dibromo-1-propanol (2,3-DBPA)

Glutaral

Medium-chain chlorinated paraffins (MCCP) UVCB substances consisting of more than or equal to 80% linear chloroalkanes with carbon chain lengths within the range from C14 to C17

Phenol, alkylation products (mainly in para position) with C12-rich branched alkyl chains from oligomerisation, covering any individual isomers and/ or combinations thereof (PDDP)

1,4-dioxane

4,4'-(1-methylpropylidene)bisphenol

Silver update

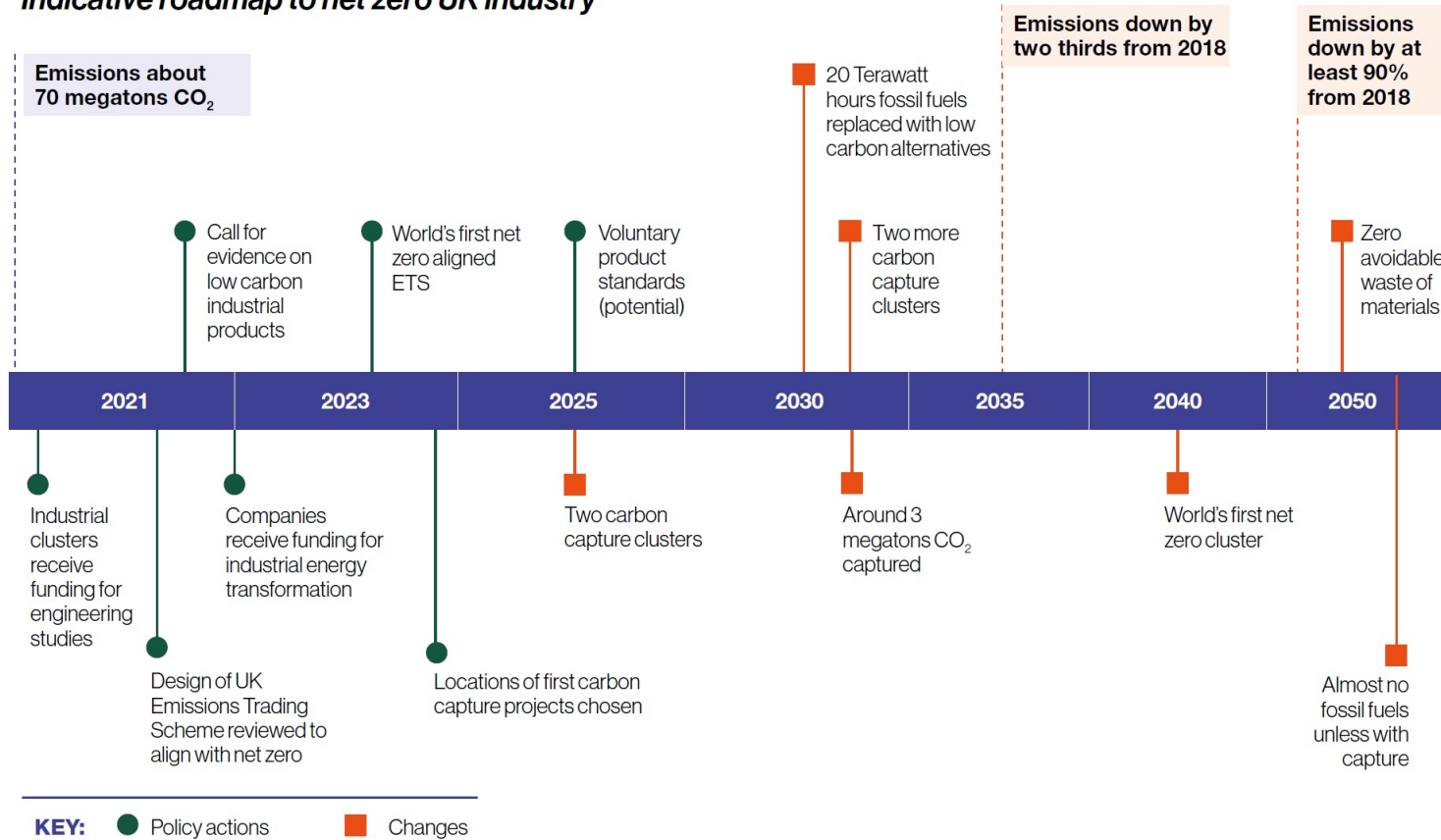
- New toxicokinetics evidence
- Direct read-across of mammalian toxicity datasets for simple ionic silver salts to bulk silver is not supported
- Read-across assumptions in Swedish proposal should be reconsidered

Health & Safety

Sector Co-Ordinator – Martin Giles

BEIS – Roadmap to net zero

Indicative roadmap to net zero UK industry



What next: opportunities for your policy input

Key:

■ Timings TBC

■ Already in train

◆ COP26

Energy affordability
call for evidence (from Energy White Paper)

ETS / CPS indirect cost compensation consultation

UK ETS Free Allocation
call for evidence

UK ETS Consultation on cap, scope and free allocation

Next 6 months

ongoing design and implementation of the Industrial Carbon Capture business model

Market engagement on cluster
sequencing

UK Net Zero Strategy Development

Hydrogen Strategy development

Low carbon hydrogen standards consultation

Net Zero Hydrogen Fund consultation

Hydrogen Business Models consultation

Environment Issues

Regulatory Position Statements (RPS)

RPS C20 allows monitoring to be delayed and rescheduled due to COVID-19 related factors such as site access restrictions, unavailability of contractors or reduced external laboratory capacity.

RPS C21 allows operators to delay submitting data, reports or other records where reporting deadlines cannot be complied with due to COVID-19 restrictions.

Both of these expired 30th June 2021
Any issues contact site regulatory officer

NB - If in Wales check <https://naturalresources.wales/about-us/news-and-events/statements/regulatory-decisions-for-monitoring-and-reporting/?lang=en>

Sector / Institute Reports

Nickel – Tony Newson



Nickel Update

Surface Engineering Association HSE Meeting

Tony Newson
Web Conference, 20 July 2021

1) Ongoing 4th revision of EU Carcinogens and Mutagens Directive (CMD)

- Sep. 2020: Commission proposal (inorganic **Ni compounds**, Benzene, Acrylonitrile)
- NI supports the proposal:
 - An Inhalable OEL of 0.05 mg/m³ to be applicable as of Jan. 2025 (until then, a transitional inhalable OEL 0.1 mg/m³ will apply)
 - A Respirable OEL of 0.01 mg/m³ to be applicable as of Jan. 2025)
- Ongoing examination by European Parliament and Council: no changes expected to the OEL values proposed by the Commission for Ni compounds
- **Negotiations** between EP, Commission and Council **to continue in 2H 2021**

2) Future EU OEL activities: new ACSH Opinion on priorities for 2021-24

- May 2021: the tripartite Advisory Committee on Safety and Health adopted an Opinion on possible priorities for OEL-setting under the Chemical Agents Directive (CAD) and under the Carcinogens and Mutagens Directive (CMD)
- **Nickel metal** is included in the list of possible candidates for the setting of an EU OEL under the **CAD**. The list is quite long and there is **no timeline yet**.

NI to follow ongoing OEL discussions on Ni compounds under CMD4 and possible future EC activities on nickel metal under CAD

1) Draft Roadmap on REACH restrictions under Chemicals Strategy for Sustainability

- Draft proposal presented by EU Commission at CARACAL meeting in June
- Nickel (“Nickel in jewellery”) is included in the Roadmap’s rolling list of substances / restrictions under consideration for a possible review in the future.
- NI to submit comments by the deadline (31 August). Nickel should not be included; the focus should be on improving compliance with the existing restriction.

2) Essential Use Concept (bans of most hazardous substances, except where essential)

- If wrongly applied / defined, the EUC could impact use of nickel
- The NI is part of a broad industry coalition on the EUC
 - Position paper and high-level meeting with Commission in June
 - Next steps: position paper on the issue of “regrettable substitution” that may occur as consequence

NI to follow closely EU activities on the implementation of the EU Chemicals Strategy for Sustainability

Guidelines for Prevention of Nickel Release

Preventing nickel allergy at source

During 2020, the Nickel Institute published “Guidelines for Prevention of Nickel Release from Decorative Nickel Plated and Alloyed Articles

The Guideline contains background information and nickel release data from

- various nickel/nickel-chromium plated ABS plastics specimens (some with additional top coats) tested in accordance with EN 12472:2005+A1:2009 and EN 1811:2011+A1:2015

- Nickel release from steel/stainless steel and Bright nickel/precious metal plated articles tested in accordance with EN 12472:2005+A1:2009 and EN 1811:2011+A1:2015

(Items without top coating were only tested in accordance to EN 1811:2011+A1:2015)

Prevention of Nickel Release from Decorative Ni-Plated and Alloyed Articles



DONM – Tuesday 19th October 2021 @ 11:00